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Commonwealth of Kentucky
Public Service Commission

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David L. Armstrong Chairman

James W. Gardner Vice Chairman

Charles R. Borders Commissioner

April 19, 2010

E.ON U.S. LLC

Attention: Allyson K. Sturgeon

220 West Main Street

Louisville, Kentucky 40202

Re:

Kentucky Utilities Company

Petition for Confidential Protection received 3/31/10 PSC Reference – Administrative Case No. 387

Dear Ms. Sturgeon:

The Public Service Commission has received the Petition for Confidential Protection you filed on March 31, 2010 on behalf of Kentucky Utilities Company ("KU"), to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.878. The information you seek to have treated as confidential is identified as information contained in the documents supplementing KU's Annual Report, pursuant to Commission Order dated 10-7-05 and in response to Data Request Nos. 11 and 14 of Appendix G to the Commission's Orders dated 12-20-01 and 3-29-04. The information is more particularly described as: (No. 11) scheduled outages and retirement of generating capacity; and (No. 14) transmission capacity additions which includes infrastructure records, including in-service date, size and site.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise KU's competitive position in the industry and result in an unfair commercial advantage to its competitors; and that the public disclosure of infrastructure information would present a security risk to the company and to the public.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined that the information you seek to keep confidential is of a confidential or proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to KU's competitors, and present an



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unwarranted security risk to the company and the public. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be maintained as a nonpublic part of the Commission's file in this case. The procedure for usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, Kentucky Utilities Company is required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

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Executive Director

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cc: Parties of Record